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U.S. Bank National Association

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

U.S. BANK NATIONAL ASSOCIATION, as
Trustee for Credit Suisse First Boston
Mortgage Securities Corp., CSFB Mortgage
Pass-Thru Certificates, Series 2005-5,

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited-liability company;
SOUTHERN HIGHLANDS COMMUNITY
ASSOCIATION, a Nevada non-profit
corporation; ALESSI & KOENIG, LLC, a
Nevada limited-liability company,

Defendants.

Case No. 2:17-cv-01485-JCM-PAL

**STIPULATION AND ORDER TO
EXTEND DISPOSITIVE MOTION
BRIEFING SCHEDULE**

(FIFTH REQUEST)

AND ALL RELATED ACTIONS

STIPULATION AND ORDER TO EXTEND DISPOSITIVE MOTION DEADLINE
AND BRIEFING SCHEDULE

Pursuant to Fed. R. Civ. P. 26(f), and Local Rules 6-1, 26-1 and 26-4, U.S. BANK NATIONAL ASSOCIATION, as Trustee for Credit Suisse First Boston Mortgage Securities Corp., CSFB Mortgage Pass-Thru Certificates, Series 2005-5 (“U.S. Bank”), Mortgage Electronic Registration Systems, Inc. (“MERS”), and SFR Investments Pool 1, LLC (“SFR”) (collectively,

1 the “Stipulating Parties”), by and through their respective undersigned counsel of record, submit
2 this Stipulation and Proposed Order to extend the dispositive motion briefing deadlines in this
3 action. This is the Stipulating Parties’ fifth request for extension of dispositive motion deadlines,
4 but only the second request to extend since the filing of the dispositive motions¹.

5 The parties filed their Motions for Summary Judgment on October 12, 2018, and filed
6 their respective Responses on or before November 21, 2018, per the operative deadlines. The
7 current deadline to file the Reply briefs is December 21, 2018; the parties seek an extension to
8 January 18, 2019. The parties are now actively engaging in settlement discussions; both parties
9 have made settlement offers and are negotiating.

10 This request to extend the deadlines is made in good faith, and is not for purpose of delay
11 or prejudice to any party, but to allow all parties to have enough time to fully brief their
12 dispositive motions and also focus significant efforts on a possible settlement. Pursuant to LR 26-
13 4, good cause exists to grant this request within 21 days of the Reply deadline, as the parties only
14 recently began case resolution discussions this week and are in active negotiations now.

15 The requested extension will not result in undue delay or prejudice to any party, as the
16 parties previously stated in their Joint Interim Status Report [Docket No. 33] that their earliest
17 available date for trial for this matter is April 29, 2019.

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26 ¹ The first request to extend the dispositive motion deadline was contained in the stipulation and
27 order to extend discovery [Docket No. 36], entered by this Court on April 3, 2018, and the second
28 request to extend was entered as an order of this Court on June 12, 2018 [Docket No. 62]. The
third request to extend was entered as an order of this Court on August 17, 2018 [Docket No. 68].
The fourth request to extend was entered as an order of this Court on November 8, 2018 [Docket
No. 72.]

A. Proposed Schedule for Dispositive Motions

<u>EVENT</u>	<u>EXISTING DEADLINE</u>	<u>NEW DEADLINE</u>
Dispositive motions	October 12, 2018	Closed
Response to dispositive motions	November 21, 2018	Closed
Reply brief in support of dispositive motion	December 21, 2018	January 18, 2019
Pre-trial order and FRCP 26(a)(3) disclosures	30 days after decision on any dispositive motion.	30 days after decision on the dispositive motions.

Dated this 6th day of December, 2018

SNELL & WILMER L.L.P.

/s/ Tanya N. Lewis

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National Association*

Dated this 6th day of December, 2018

KIM GILBERT EBRON

/s/ Diana S. Ebron

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(signature affixed with permission)

*Attorneys for Defendant SFR Investments
Pool 1, LLC*

ORDER

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: December 13, 2018

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically transmitted the foregoing **STIPULATION AND ORDER TO EXTEND DISPOSITIVE MOTION BRIEFING SCHEDULE** with the Clerk of Court for the U.S. District Court, District of Nevada by using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

DATED: December 6, 2018

/s/ Susan Ballif

An employee of SNELL & WILMER L.L.P.

4829-5943-6930